

JOHN POSTAK,

Plaintiff,

Vs.

CLARENCE EARL HARRIS,

Defendant.

X
X
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 4928

Comes now the Defendant in the above styled cause and files this his answer to the Plaintiff's Complaint and each count thereof, separately and severally, says:

1.

That he is not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY: 

The Defendant demands a trial by jury.

WILTERS & BRANTLEY

BY: 

FILED

DEC 13 1961

ALICE L. DUCK, CLERK
REGISTER

JOHN POSTAK,

Plaintiff,

Vs.

CLARENCE EARL HARRIS,

Defendant.

X

X IN THE CIRCUIT COURT OF

X BALDWIN COUNTY, ALABAMA

X AT LAW

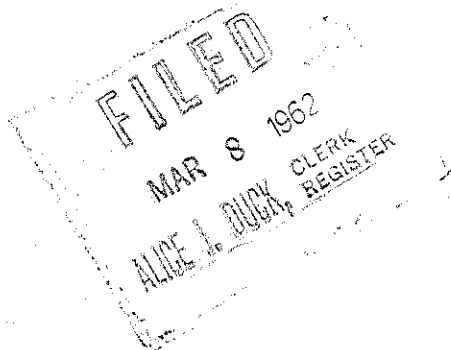
X CASE NO. 4928

Comes now the Defendant in the above styled cause and amends his answer to the Plaintiff's Complaint and each count thereof, separately and severally, by adding the following plea:

2.

That at the time and place complained of, The Plaintiff himself was guilty of negligence which proximate contributed to his alleged injuries and damages, and that at said time and place, the Plaintiff so negligently operated a motor vehicle so as to cause or allow the same to collide with a motor vehicle which was therein being operated by the Defendant. Wherefore the Defendant says the Plaintiff ought not have and recover of him.

WILTERS & BRANTLEY



BY:

[Signature]
Attorney for the Defendant

We the Jury find for the Plaintiff
and assess his damages at.

Count 1 - \$2500

Count 2 - \$1700

Signed

Foreman

Jack Lambuth

29 2 5

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Clarence Earl Harris to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of John Postak.

Witness my hand on this the 1 day of November, 1961.

Alfred A. Luck
Clerk

Exp. 11-14-61


JOHN POSTAK,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
	X	BALDWIN COUNTY, ALABAMA
CLARENCE EARL HARRIS,	X	
Defendant.	X	AT LAW
	X	

COUNT ONE

The Plaintiff claims of the Defendant the sum of Two Thousand Five Hundred Dollars (\$2,500.00) as damages for that on, to-wit: November 23, 1960, in Baldwin County, Alabama, at a point on U. S. Highway No. 90, a public highway, about 500 yards West of the D'Olive Creek Bridge, the Defendant negligently drove a pick-up truck into or against an automobile which the Plaintiff was driving along said highway at said time and place and as a proximate result of the negligence of the Defendant, the Plaintiff was injured in this: he received a severe concussion, he was caused to suffer much pain and mental anguish, he has had headaches frequently since such accident as a result thereof, he was caused to lose much time from his employment and he was caused to incur large medical expenses, all to the damages of the Plaintiff in the sum above mentioned, hence this suit.

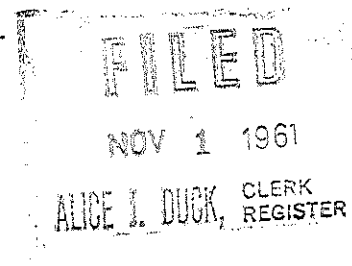
COUNT TWO

The Plaintiff further claims of the Defendant the further and additional sum of Two Thousand Dollars (\$2,000.00) as damages for that, on to-wit: November 23, 1960, in Baldwin County, Alabama, at a point on U. S. Highway No. 90, a public highway, about 500 yards West of the D'Olive Creek Bridge, the Defendant negligently drove a pick-up truck into or against an automobile owned by the Plaintiff which he was then and there driving along such highway, and as a proximate result of the negligence of the Defendant the Plaintiff's automobile was demolished, hence this suit.


Attorneys for Plaintiff

Plaintiff demands a trial of this
cause by a jury.


Attorneys for Plaintiff



NO. 492.8

JOHN POSTAK,
Plaintiff,

vs.

CLARENCE EARL HARRIS,
Defendant

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE

* * * * *

SUMMONS AND COMPLAINT

* * * * *

Received 1 day of Nov. 1961.
and on 14 day of Nov. 1961
I served a copy of the within etc
on Clarence Earl Harris

By service on Clarence Earl Harris

TAYLOR WILKINS, Sheriff
By W. O. Starnes
Spanishfort

Sheriff claims 44 miles at
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY Spanishfort
DEPUTY SHERIFF

FILED
NOV 1 1961
CLERK
REGISTER

CHASON & STONE
ATTORNEYS AT LAW
BAY MINETTE, ALABAMA

4928 John P. Votaw

Clarence E. Harris

JURY LIST - SPRING SESSION - MARCH 12, 1962

1. Christnacht, Leroy, Civil Service, Lillian
2. Cabaniss, Ray, Newport, Bay Minette
3. Byrd, Carl, Civil Service, Stapleton
4. Bryars, Rudolph M., Brookley Field, Bay Minette
5. Bryhn, Vernon A., Farmer, Elberta
6. Beasley, Wilson C., Merchant, Bay Minette
7. Bishop, Clarence, Farmer, Fairhope
8. Bloxham, Walter, Farmer, Fairhope
9. Brock, L.B., Farmer, Robertsdale
10. Gilbert, B.B., Mechanic, Bay Minette
11. Good, Joe, Farmer, Elberta
12. ~~_____~~
13. Guenther, Paul O., Civil Service, Foley
14. Gullledge, Carl, REA, Robertsdale
15. Akers, Redus M., Insurance, Bay Minette
16. Martin, Albert D., Newspaper, Bay Minette
17. Coleman, John E., Farmer, Bay Minette
18. Corley, Harace, W., Brookley Field, Bay Minette
19. Epperson, Edwin, Civil Service, Foley
20. Erdmann, Rudolph C., Plumber, Mag. Spgs.
21. Fell, Russell, Civil Service, Lillian
22. Hill, Robert, Merchant, Loxley
23. Jaye, James J., Farmer, Rabon
24. Jordan, Green, Merchant, Bay Minette
25. Kane, James, Farmer, Loxley
26. Keenan, Ruben A., Oil Dealer, Robertsdale
27. Keuler, Albert, Salesman, Loxley
28. King, Horace, E., Farmer, Mag. Spgs.
29. King, Vernon, Farmer, Robertsdale
30. Stucki, Alfred, Locker Plant Mgr., Elberta
31. Styron, Irby L., Plant Forman, Robertsdale
32. Moorer, Douglas, Clerk, Bay Minette
33. ~~_____~~
34. Nelson, J.L., Jr., Laborer, Fairhope
35. Nelson, Harry, Post Office, Bay Minette
36. Milton, Ovdrecka, Farmer, Robertsdale
37. Palmer, James J., Farmer, Robertsdale
38. Rhodes, Elbert M., Farmer, Sumnerdale
39. Roberts, Raymond C., Farmer, Foley
40. Roley, Charlie N., Farmer, Perdido
41. Schrieber, Bill, Carpenter, Foley
42. Stephens, Ray, Banker, Bay Minette
43. Seibert, Fred, Jr., Farmer, Elberta
44. Stewart, Frank, State Emp., Gulf Shores
45. Stuart, Derrill, Contractor, Bay Minette
46. Lamberth, Jack Ogal, Farmer, Bay Minette
47. Strickland, Marvin, Laborer, Bay Minette
48. McDaniel, Schuler, Farmer, Robertsdale
49. Corte, Albert, Farmer, Belforest

P XXXXX XXXXX

D XXXXX XXXXX